

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

HILLTOP CHURCH OF THE
NAZARENE,

Plaintiff,

V.

CHURCH MUTUAL INSURANCE
COMPANY,

Defendant.

CIVIL ACTION NO. 6:21-CV-00322-JCB

JOINT REPORT

Plaintiff Hilltop Church of the Nazarene and Defendant Church Mutual Insurance Company (collectively, the “Parties”) present this Joint Report pursuant to the Court’s Order dated October 7, 2022 [Doc. 42].

Per the Court's October 7, 2022 Order, the Parties understand that another case is set for trial before this case on November 14, 2022. Counsel for Defendant further advises that, on October 7, 2022, the Southern District Court issued a Notice of Trial Setting in *Smiley Team II v. General Star Indemnity Company*, No. 3:21-cv-00103, another case it is handling, also setting trial for November 14, 2022. Given the various scheduling issues, counsel for both Parties are amenable to moving this trial if the Court is so inclined. To that end, the Parties are both available the following weeks in December, January, and February:

December 5-10;

January 2-6; 9-13; 16-20; and 23-27;

February 6-10; 13-17; 20-24; and 27-March 3.

The Parties further notify the Court that they completed mediation on March 31, 2022, which was ultimately unsuccessful. The Parties also completed the required in-person Settlement

Conference on Wednesday, October 12, 2022 in Dallas, Texas. Vinny Circelli attended as counsel of record for Plaintiff and Michael Scarlett attended as Hilltop's representative. Lindsey Bruning attended as counsel of record for Defendant, with Church Mutual representative, Dewade Wiggins. The parties were ultimately unable to reach a resolution. At this time, the Parties do not believe further mediation would be helpful in this case.

Respectfully submitted,

By: /s/ Vincent P. Circelli

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